IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| UNITED STATES OF AMERICA,) | | | | |
|-----------------------------|--|---|--|--|
| | Plaintiff, |) 8:11CR168) | | |
| | vs. |) DETENTION ORDER | | |
| JU | LIO CRUZ-PALACIOS, |) | | |
| | Defendant. | ' | | |
| A. | Order For Detention After waiving a detention hearing pursuant Act on May 24, 2011, the Court orders the atto 18 U.S.C. § 3142(e) and (i). | to 18 U.S.C. § 3142(f) of the Bail Reform pove-named defendant detained pursuant | | |
| B. | The Court orders the defendant's detention X By a preponderance of the evide conditions will reasonably assure the | because it finds: ence that no condition or combination of appearance of the defendant as required. at no condition or combination of conditions | | |
| C. | violation of 42 U.S.C. § documents not lawfully is 1546(b) both carry a maximum the false claim of U.S. citiz § 911 carries a maximum and aggravated identity for 1028A(a)(1) carries a maximum any sentence for Counts (b) The offense is a crime of count for 1028A(a)(1) carries a maximum (c) The offense involves a naximum (d) The offense involves a lawit: (2) The weight of the evidence again wit: (2) The weight of the evidence again wit: (3) The history and characteristics of a may affect wheth X The defendant a may affect wheth X The defendant is X The defendant of ties. X Past conduct of the counter of the counter for 100 coun | s Report, and includes the following: e offense charged: se of a Social Security card (Count IV) in 408(a)(7)(B) and the use of immigration sued (Count II) in violation of 18 U.S.C. § mum sentence of five years imprisonment; zenship (Count III) in violation of 18 U.S.C. In sentence of three years imprisonment; theft (Count I) in violation of 18 U.S.C. § Indatory two year consecutive sentence to II or IV. I violence. arcotic drug. arge amount of controlled substances, to inst the defendant is high. | | |

| DETENTION ORDER | - Page 2 |
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| | The defendant has a history relating to alcohol abuse. The defendant has a significant prior criminal record. |
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| | The defendant has a prior record of failure to appear at |
| | court proceedings. |
| (b) | At the time of the current arrest, the defendant was on: |
| . , | Probation |
| | Parole |
| | Release pending trial, sentence, appeal or completion of |
| | sentence. |
| (0) | |
| (c) | Other Factors: |
| | X The defendant is an illegal alien and is subject to |
| | deportation. |
| | The defendant is a legal alien and will be subject to |
| | deportation if convicted. |
| | X The Bureau of Immigration and Custom Enforcement |
| | (BICE) has placed a detainer with the U.S. Marshal. |
| | |
| | Other: |

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: May 24, 2011. BY THE COURT:

s/Thomas D. Thalken

United States Magistrate Judge